410th COR Training

Contracting Officer Representative (COR)

Appointment and Responsibilities

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LEARNING OBJECTIVES

- Nomination / Designation process
  - Who can nominate a COR
  - Who has authority to designate a COR
- Basic Responsibilities of a COR
- Limitations of COR authority
- COR Training requirements
- Responsibilities of ACOR
- Termination of Appointment

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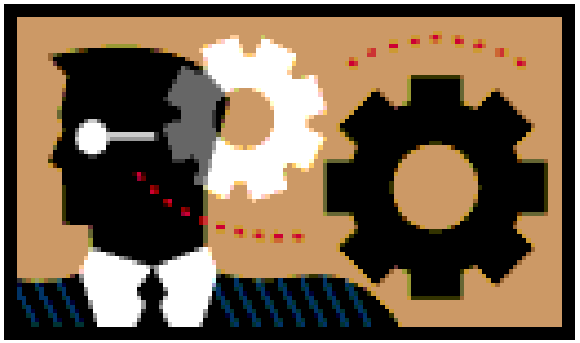
What is a COR ?

And

How do I become one ?



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Definition: **Contracting Officer Representative**

"Contracting officer's representative" means an individual designated in accordance with subsection 201.602-2 of the Defense Federal Acquisition Regulation Supplement and authorized in writing by the contracting officer to perform specific technical and administrative functions.

(DFAR Clause 252.201-7000)

Alternate Contracting Officer Representatives (ACORs) are also appointed in writing designating specific responsibilities, authorities, and limitations.

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Requirements: Contracting Officer Representative

- **Must be a Government employee (unless other wise authorized in agency regulations).**

- **Must be qualified by Training and Experience commensurate with responsibilities to be delegated in accordance with department or agency guidelines.**

- **Must be designated in writing.**

(DFAR Subpart 201.602-2)

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Request for COR Designation

Command Nominates Candidate by Memo to the Contracting Officer

(Memo Template on USAS TIDE-PARC)

NOMINATION MEMO CONTAINS (as a minim

- **Service being Procured and Using Activity**
- **Individual Nominated**
- **Nominee's Contact Information**
- **Area of Responsibility**
- **Duration of requested Appointment**

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Request for COR Designation

- **List of completed training (attach required certificates)**
  - **DAU CLC 106 “COR with Mission Focus”**
  - **DAU CLM 003 “Ethics for AT&L Workforc**
- **Technical Qualifications & Experience**
- **Supervisor’s certification of OGE Form 450 Completion**
- **Supervisor’s certification that COR duties ar reflected in COR’s annual performance standards**
- **Certification the Nominee will be afforded sufficient time and resources to accomplish the duties**

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COR Designation

Contracting Officer issues the COR Appointment/Designation

Memo which identifies:

- **Individual and Area of Responsibility**
- **Contract Number and Expiration**
- **Duration of Appointment**
- **Responsibilities, Authorities and Li**
- **Files Maintenance**
- **Reporting Requirements**
- **Liability in the event of Unauthorized Acts**

KO signs – COR signs – Copy to Contractor

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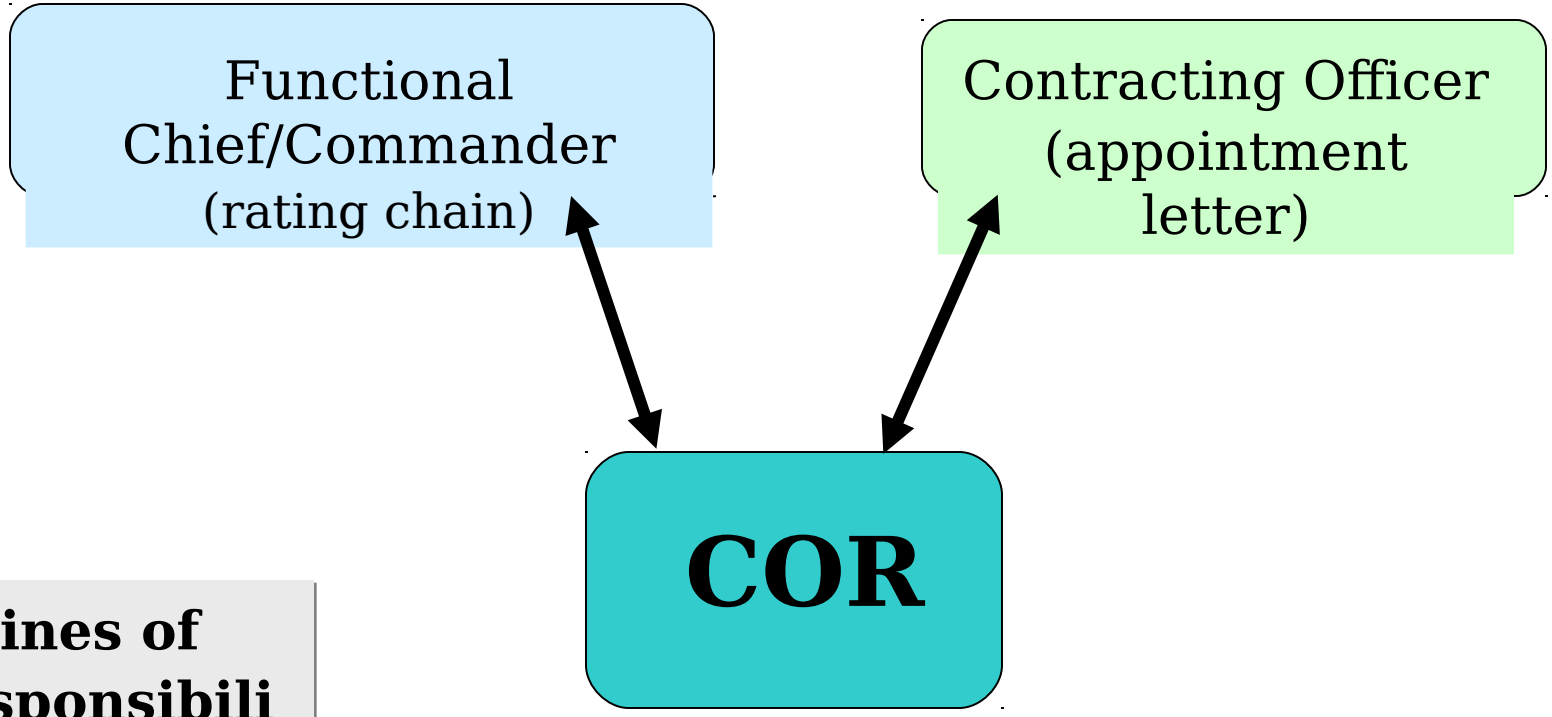
Official Appointment/Designation Letter Establishes

Dual Lines Of Responsibility



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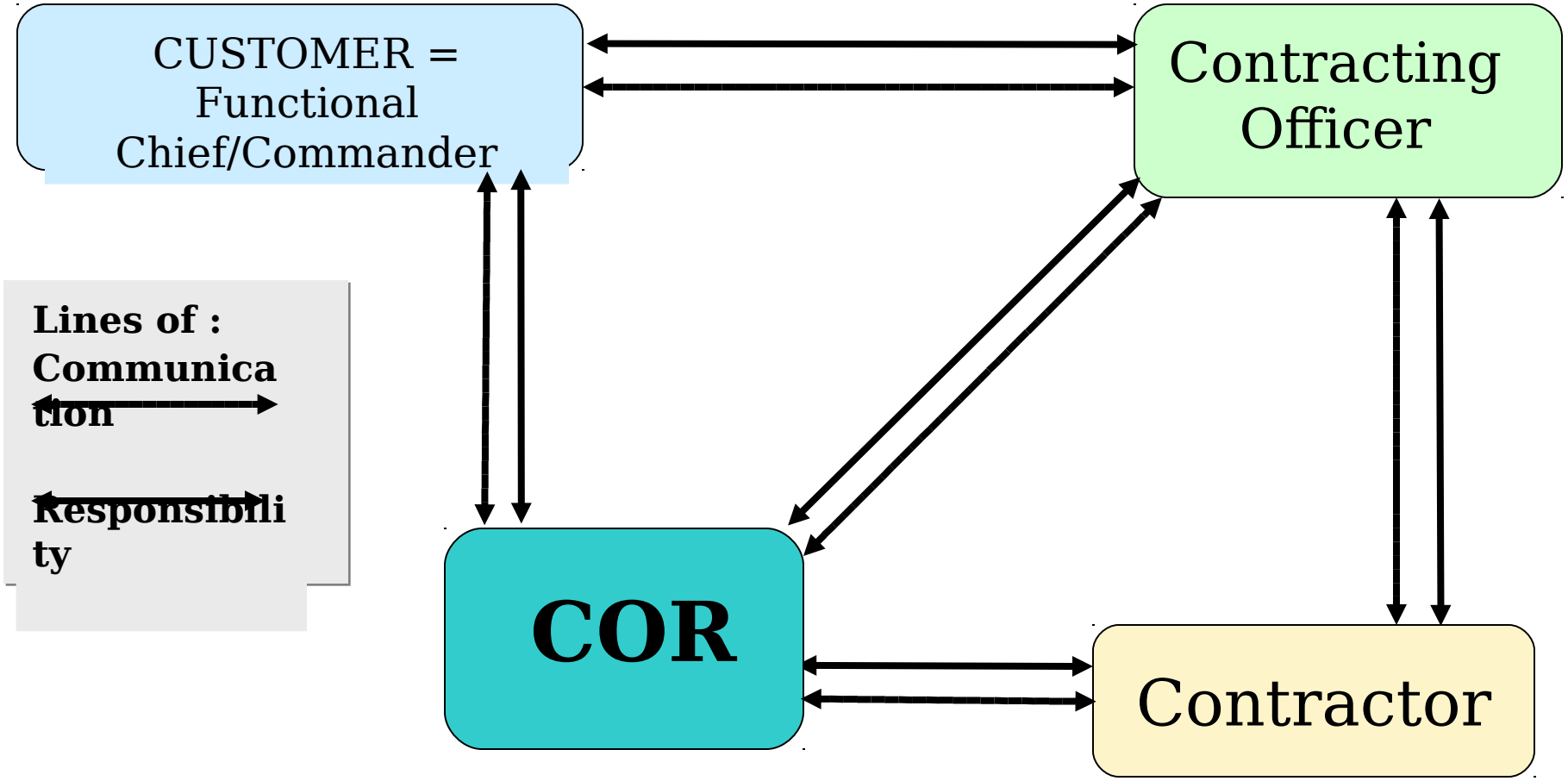
Lines Of Communication



COR Responsibilities

- COR **<u>can not</u>** delegate responsibilities.

General information about COR responsibilities is contained in

- Defense Federal Acquisition Regulations Supplement (DFARS)

PART 201.602 "Contracting Authority and Responsibilities"

and in the

- Procedures, Guidance, and Information (PGI) companion resource to the DFARS at Part PGI 201.602-2 "Responsibilities."

Pre-Award Responsibilities

Will vary with the size and type of contract – In General:

- Document unit requirements
- Assist in preparing the procurement package to include PWS/SOW and IGCE to include Market Research
- Prepare and submit Purchase Requests (PR&C)
- Draft a Quality Assurance Surveillance Plan/Checklist (QASP)
- Verify availability of Funding – Submit packet to request funds
- Evaluate proposals from vendors/contractors

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Post-Award Responsibilities

Will vary with the size and type of contract – In General:

- Develop Quality Assurance Surveillance Records
  - Surveillance Checklists
  - Surveillance Schedules
  - Files

- Monitor and document contractor's performance in accordance with the requirements, terms and conditions of the contract and agreed schedule.

- Inspect supplies and services to determine acceptability – Reject those that do not meet the contract requirements and standards.

- Report results to the Contracting Officer (Monthly Report).

- Validate contractor's reimbursable purchases are actually received before being billed to the Government

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Post-Award Responsibilities cont.

- Assure Government Furnished Property (GFP) is being properly maintained and accounted for by the contractor.
- Validate contractor personnel have required licenses, certifications, and security clearances as required by contract.
- Verify timeliness and accuracy of contractor reports and data required to be delivered to the Government .
- Ensure (Prime) contractors report required Contractor Manpower Reporting (CMR) information, as set forth in the contract.
  - Enter COR reporting data into the CMR system as specified under the COR/COTR User's Guide at the CMR website: https://cmra.army.mil

Post-Award Responsibilities cont.

- Assure contractor / vendor is paid for acceptable performance and not paid for unacceptable performance (supplies or services).

- Track contract costs – depending on type of contract.

- Try to resolve issues that may arise. Ensure any dispute between the COR and contractor is referred to the KO

- Be firm, but fair in all actions.

- Understand the requirements of the contract - know the Government's responsibility as well as the contractor's.

- Maintain direct communications and act as Liaison between Unit and Contractor (in concert with KO).

- Request contract changes through the Contracting Officer

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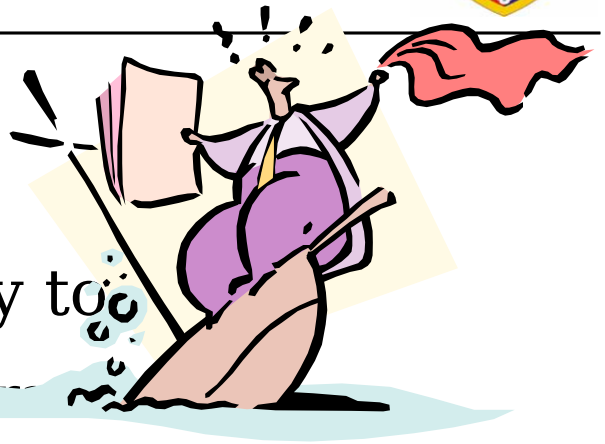
Limitations



CORs do **not** have the authority to:

- Make any agreement with the cont[illegible] that obligates public funds.
- Make commitments that affect the price, quality, quantity, delivery, or any other term or condition of the contract.
- Encourage the contractor to perform any work beyond or outside the scope of the contract.
- Interfere with contractor's management of their employees to include "supervising" or directing the work effort of the employees.

Limitations

CORs do **not** have the authority to:

- Order or accept goods or services not expressly required by the contract.
- Allow GFP accountable under one contract to be used under another contract.
- Discuss any information that might give one contractor an advantage in future procurements.
(Procurement Integrity Act)

Contracting Officer (KO)

- IAW FAR 2-101
- **Only person authorized to bind the government**
- **Only person authorized to appoint CORs**
- **Only person authorized to make contract changes**

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COR Training Requirements

- **COR Basic Course** [Complete one of these at least once every 3 years]
  - **DAU CLC 106 - COR with a Mission Focus**
  - **ALMC resident 40 hour course**
  - **DAU resident 40 hour course**

- **Acquisition Ethics Training** [complete annually]

  DAU CLM 003 - Ethics for the AT&L Workforce or an alternate method (Joint Ethics Regulation DOD 5500.7-R)

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COR Requirements

Additional

- OGE 450 - Statement of Financial Status (File Annually)

- Comply with the Joint Ethics Regulation (JER) DoD 5500.7-R

- Report suspected violations of ethics policies, incidents of fraud or bribery, conflicts of interest, and any other improper conduct to the KO, Legal, Chain of Command, DoD IG. S[illegible] can trust who is in a position to take a[illegible]

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COR Must Avoid

- Situations may place the COR in a “Conflict of Interest” between private and public interests – financial or otherwise.
- Using an official position title to coerce or in any manner influence anyone for personal gain.
- Making or inferring promises related to future business
- Soliciting or accepting any favors or considerations for self or family.

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Alternate
Contracting Officer Representative (ACOR)

Appointment Process - - same as for COR

- **Nominated by Command**
- **Appointment by Contracting Officer**
- **KO signs – ACOR signs – Copy to Contrac**

Training Requirements - - same as for COR

Additional Requirements - - same as for COR

Has Authority and Responsibility to Act as COR ONLY in the Absence of the Primary COR

Assist the COR in Developing and Implementing Surveillance Program and Maintaining COR Files

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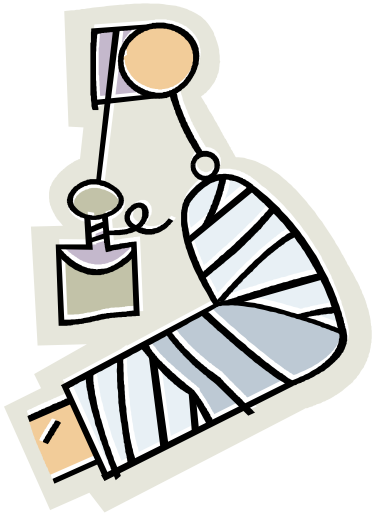
Absence of COR is defined as:

- being on Annual Leave, Sick Leave, Training, TDY… … …



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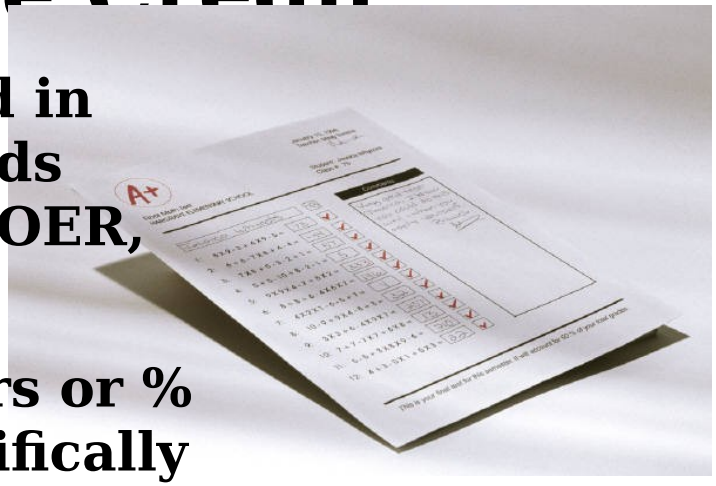
COR Performance Credit



- **COR Duties shall be identified in Individual Performance Standards (Goals & Accomplishments – NCOER, OER, NSPS, Tapes)**
  - **Number of productive hours or % of duty hours should be specifically dedicated for the performance of COR duties**
- **COR Supervisors are encouraged to solicit input on performance of COR duties from the KO**

REF: SEPSECDEF Memo dated August 22, 2008
SUBJECT: Monitoring Contract Performance in Contracts for Service

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Termination of Appointments
COR / ACOR

- **Termination may be “For Cause” or “Without Prejudice”**
- **Must be in writing**

When:

- **Upon written request from the COR’s Command**
- **At the discretion of the Contracting Officer**

How:

- **Termination Date on Appointment letter**
- **Contracting Officer issues a termination letter**
- **Copy to the COR, Contractor, and Contract File**

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Questions ??